

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MONIQUE DA SILVA MOORE,  
MARYELLEN O'DONOHUE, LAURIE  
MAYERS, HEATHER PIERCE, and  
KATHERINE WILKINSON on behalf of  
themselves and all others similarly situated,

Plaintiffs,

Civ No. 11-CV-1279 (ALC)(AJP)

-against-

PUBLICIS GROUPE SA and MSLGROUP,

Defendants.

**STIPULATION LIMITING PLAINTIFFS' CLAIMS FOR EMOTIONAL DISTRESS  
DAMAGES**

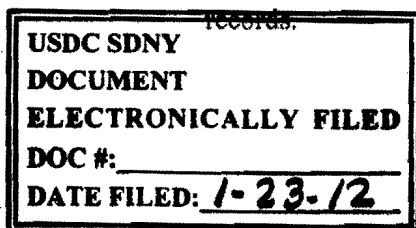
WHEREAS Plaintiffs filed an Amended Class Action Complaint on April 14, 2011,  
seeking damages for emotional distress injuries;

WHEREAS Plaintiffs now wish to limit their claims for emotional distress injuries  
asserted in the Amended Complaint to only "garden variety" claims;

WHEREAS Plaintiff Katherine Wilkinson has withdrawn all claims for emotional  
distress damages, with prejudice;

IT IS HEREBY STIPULATED BY AND BETWEEN Plaintiffs Monique da Silva Moore,  
MaryEllen O'Donohue, Laurie Mayers, Heather Pierce and Opt-In Plaintiffs Zaneta Hubbard and  
Carol Perlman (to the extent they intend to make claims for emotional distress damages)  
(collectively, "Plaintiffs"), and Defendant MSLGroup Americas, Inc., sued herein as  
"MSLGroup" ("Defendant") as follows:

1. Plaintiffs' claims for emotional distress damages are limited to only "garden variety"  
emotional distress and Plaintiffs may introduce and rely on evidence in support of such  
claim only as set forth in this Stipulation.
2. Plaintiffs will not introduce or otherwise rely on or refer to any testimony or other  
evidence from any medical or mental health professional or counselor.
3. Plaintiffs shall not introduce or otherwise rely on or refer to any medical or mental health  
records.



4. Plaintiffs shall not introduce or otherwise rely on or refer to any evidence relating to any medical or psychological diagnosis or physical impairment or injury.
5. Plaintiffs shall not introduce or otherwise rely on or refer to any evidence relating to any physical symptoms or conditions experienced as a result of any alleged discrimination.
6. The evidence Plaintiffs may introduce or otherwise rely on or refer to at trial in support of their claims for emotional distress damages shall be limited to the testimony that describes the emotional distress that any healthy, well-adjusted person may reasonably feel as a result of experiencing alleged discrimination.
7. Defendant shall not question Plaintiffs through deposition or other discovery requests about medical or psychological diagnosis or diagnosed conditions of physical impairment or related medical evidence.
8. This stipulation shall not apply to any new Plaintiffs later added to this Class and Collective Action, or to any absent class members, and it is intended to be the entire agreement between the parties and shall supersede and cancel any prior stipulations, disclosures or other submissions regarding "garden variety" damages in this matter.

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MaryEllen O'Donohue, Laurie Mayers, Heather  
Pierce, Katherine Wilkinson, and the Class*  
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By: 

Janette Wipper, Esq.  
Steven L. Wittels, Esq.  
Deepika Bains, Esq.

Dated: January 19, 2012

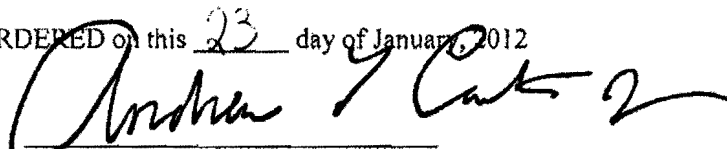
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(631) 247-0404

By: 

Victoria Chavey, Esq.  
Jeffrey W. Brecher, Esq.

Dated: January 20, 2012

SO ORDERED on this 23 day of January, 2012

  
United States District Judge